



# HOUSE JOINT RESOLUTION No. 14

## DIGEST OF INTRODUCED RESOLUTION

**Citations Affected:** Article 4 of the Indiana Constitution.

**Synopsis:** Prohibition of unfunded state mandates. Limits state mandates for local expenditures. Provides that any law or rule mandating an increase in the expenditures of local units of government is effective only to the extent that the general assembly appropriates funds to cover the increases in costs. This proposed amendment has not been previously agreed to by a general assembly.

**Effective:** This proposed amendment must be agreed to by two consecutive general assemblies and ratified by a majority of the state's voters voting on the question to be effective.

**Heim**

January 25, 2005, read first time and referred to Committee on Judiciary.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular General Assembly.

## HOUSE JOINT RESOLUTION No. 14

A JOINT RESOLUTION proposing an amendment to Article 4 of the Indiana Constitution by adding a new Section concerning state and local administration.

*Be it resolved by the General Assembly of the State of Indiana:*

- 1 SECTION 1. The following amendment to the Constitution of the
- 2 State of Indiana is proposed and agreed to by this, the One Hundred
- 3 Fourteenth General Assembly of the State of Indiana, and is referred to
- 4 the next General Assembly for reconsideration and agreement.
- 5 SECTION 2. ARTICLE 4 OF THE CONSTITUTION OF THE
- 6 STATE OF INDIANA IS AMENDED BY ADDING A **NEW**
- 7 SECTION TO READ AS FOLLOWS: **Section 31. (a) This section**
- 8 **does not apply to the funding of a permissive program or to**
- 9 **expenditures that are incidental to a law and that have been**
- 10 **declared to be incidental in the body of the bill enacting the law.**
- 11 **(b) As used in this section, "municipal corporation" means a**
- 12 **county, city, town, township, or any other separate local**
- 13 **governmental entity that may sue and be sued.**

2005

HJ 14—HJ 9224/DI 47+



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1       (c) A mandatory law enacted by the general assembly after  
2       January 1, 2008, that results in increased expenditures for a  
3       municipal corporation is not effective unless the general assembly  
4       either appropriates money to fund the increased expenditures or  
5       provides a means for the municipal corporation to raise the money  
6       necessary to fund the increased expenditures.

7       (d) The general assembly shall implement this section by law  
8       and shall provide a similar method of control for administrative  
9       actions by state agencies that affect municipal corporations.

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